

MINUTES  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
VILLAGE OF MONTICELLO, N.Y.  
MONDAY, MAY 18, 2009

**MEETING TO ORDER**

Mayor Jenkins called the meeting to order at 7:02 p.m.

**PLEDGE TO THE FLAG**

**Roll Call**

Upon call of the roll, the following were present:

Gordon Jenkins, Mayor  
Theodore Hutchins, Trustee  
Victor, Marinello, Jr., Trustee  
Carmen Rue, Trustee  
Scott Schoonmaker, Trustee (Left meeting at 8:45 p.m.)

Also Present: Jacob Billig, Village Attorney (Late)  
Douglas Solomon, Chief of Police

**APPROVAL OF MINUTES OF MEETING OF THE REGULAR VILLAGE BOARD  
MEETING OF MAY 4, 2009**

A motion was made by Trustee Marinello, seconded by Trustee Hutchins, unanimously approved on a roll call vote to adopt the minutes of the meeting May 4, 2009 as presented.

**RESOLUTION CHANGING THE SECOND MEETING IN JUNE TO THE FOURTH  
MEETING IN JUNE, JUNE 22<sup>ND</sup>**

**Resolved**, that the Board of Trustees of the Village of Monticello does hereby change the second meeting in June from Monday, June 15<sup>th</sup> to Monday, June 22<sup>nd</sup>.

A motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the above resolution to change the second meeting in June from June 15<sup>th</sup> to Monday, June 22<sup>nd</sup>.

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**RESOLUTION SCHEDULING A PUBLIC HEARING TO REVIEW AND DISCUSS (1) THE PROPOSED GENERAL GOVERNMENT BUDGET FOR THE VILLAGE OF MONTICELLO, (2) A SUMMARY OF THE ENTIRE PROPOSED BUDGET FOR THE 2009/10 FISCAL YEAR (3) SANITATION RATES AND (4) SETTING WATER RATES FOR THE 2009/10 FISCAL YEAR FOR MONDAY, JUNE 1, 2009 AT 7:00 P.M.**

**Resolved**, that the Board of Trustees of the Village of Monticello does hereby schedule a public hearing to review and discuss (1) the proposed General Government Budget for the Village of Monticello, (2) a summary of the entire proposed budget for 2009/10 fiscal year (3) Sanitation rates and (4) setting Water Rates for the 2009/10 fiscal year for Monday, June 1, 2009 at 7:00 p.m.

A motion was made by Trustee Rue, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION SCHEDULING A PUBLIC HEARING TO REVIEW AND DISCUSS LOCAL LAW NO. 3 OF 2009 ESTABLISHING THE VILLAGE OF MONTICELLO SEWER RENTS FOR 2009/10 FOR MONDAY, JUNE 1, 2009 AT 7:00 P.M.**

**Resolved**, that the Board of Trustees of the Village of Monticello does hereby schedule a public hearing to review and discuss Local Law No. 3 of 2009 establishing the Village of Monticello Sewer Rents for 2009/10 for Monday, June 1, 2009 at 7:00 p.m.

A motion was made by Trustee Marinello, seconded by Trustee Rue, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION AUTHORIZING THE PAYMENT FOR CODIFYING LOCAL LAWS OF 2008 BY GENERAL CODE IN THE AMOUNT NOT TO EXCEED \$2,000**

**Resolved**, that the Board of Trustees of the Village of Monticello does hereby authorize payment for Codifying Local Laws of 2008 by General Code in the amount not to exceed \$2,000.

A motion was made by Trustee Rue, seconded by Trustee Marinello, unanimously approved on a roll call vote to adopt the above resolution.

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**RESOLUTION AUTHORIZING AN ADDITIONAL \$15,000 FROM THE PREVIOUSLY APPROVED IN THE AMOUNT OF \$85,000 FOR THE PURCHASE OF THE RECYCLING TRUCK BRINGING THE TOTAL COST TO APPROXIMATELY \$100,000 FROM INTERNATIONAL TRUCK & ENGINE**

Trustee Marinello was concerned with the \$15,000 increase and wanted more information regarding the increase.

Trustee Hutchins was concerned that this is really the truck that meets the Village's needs, similar to the packer truck that the Village bought previously.

A motion was made by Trustee Marinello, seconded by Trustee Hutchins, unanimously approved on a roll call vote to table the matter to the next Board meeting.

**RESOLUTION TO SURPLUS GMC 7500 SERIES CAB AND CHASSIS AND 1995 GMC YUKON BY THE HIGHWAY DEPARTMENT**

**Resolved**, that the Board of Trustees of the Village of Monticello does hereby declare a GMC 7500 Series Cab and Chassis and a 1995 GMC Yukon by the Highway Department as surplus equipment and can be disposed of as scrap metal.

A motion was made by Trustee Marinello, seconded by Trustee Schoonmaker, unanimously approved on a roll call vote to adopt the above resolution.

**RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2009 "ANNEXING PROPERTY TO THE VILLAGE OF MONTICELLO, FORMERLY KNOWN AS TOWN OF THOMPSON TAX PARCEL SBL 29-14-6 AND PROPERTY TO BE ZONED RM**

**WHEREAS**, a resolution was duly adopted by the Village Board of the Village of Monticello for a public hearing to be held on April 30, 2009, at 7:00 p.m. at Town Hall, 4052 Rt. 42N Monticello, New York 12701 to hear all interested parties on said proposed Local Law 2 of 2009 providing for the annexation of Tax Parcel SBL 29-14-6; and

**WHEREAS**, notice of said public hearing was duly advertised in the Sullivan County Democrat, the official newspaper of said Village, on April, 17, 2009; and

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**WHEREAS**, said public hearing was duly held on April 30, 2008, at 7:00 p.m. at Thompson Town Hall, 4052 Route 42N, Monticello, New York 12701, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

**WHEREAS**, the Board of Trustees of the Village of Monticello has pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) that the proposed local law would not have a significant negative effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA; and

**WHEREAS**, the Board of Trustees of the Village of Monticello, after due deliberation, finds it in the best interest of said Village to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the proposed local law would not have a significant negative effect upon the environment; and be it further

**RESOLVED**, that the Board of Trustees of the Village of Monticello hereby adopts said Local Law No. 2 of 2009; and be it further

**RESOLVED**, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Monticello, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

A motion was made by Trustee Hutchins, seconded by Trustee Rue, unanimously approved on a roll call vote to adopt the above resolution.

**PUBLIC COMMENT**

**Green Related Grants**

David Rosenberg indicated that the Town of Callicoon has been awarded a grant in the amount of \$125,000 for "green related" "solar" by Assemblywoman Aileen Gunther's Office. He felt that if for any reason the Town of Callicoon turns down the grant

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than the Village of Monticello could use it to renovate the public side of the Department of Public Works and the police department with solar panels to hide that part of the building and use electric solar power to show that the Village is moving forward in the right direction.

### **82 Hillside Avenue**

Trustee Rue distributed a resolution to the Board members regarding providing water to 82 Hillside Avenue with the agreement that they annex to the Village. She felt that they should be hooked into the Village water system with the understanding that they will begin the annexation process.

Mayor Jenkins felt that Trustee Rue's resolution is premature and a decision should not be made hastily.

The Village Clerk felt that Mr. Bertonazzi's attorney could have started the annexation proceedings at an earlier date as he was advised. She noted that if the Town rejects their annexation and they continue as an outside user, the problem is that there is no way for the Village to recoup the water and sewer charges if they fail to pay, whereas an inside user charges are relieved on to the property owners tax bill.

Trustee Hutchins questioned whether anyone is living in that building since there is no water service to the home? He indicated that he has visited this house and there is an elderly lady and a family living there without water service. He felt the owner of the property should start the annexation process immediately.

The Mayor indicated that he spoke to Mr. Bertonazzi's attorney and indicated that he knows that he must annex in before the water is reconnected.

The Village Attorney recommended that the annexation be done properly before the water is reconnected.

Mr. Bertonazzi indicated that no one is living in that building, although there furniture has already been moved in.

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Trustee Hutchins indicated that the elderly mother, Helen Boone is currently living in that house right now along with her daughter and son-in-law and they have been living there since March.

Mr. Bertonazzi responded that no one is living in that building.

The Village Attorney will call the property owner's attorney to advise him the Board will not hook up the water until the annexation process is completed.

### **Animal Laws**

Pincus Belsky owner of 31 Landfield Avenue felt the Village should change the local law to allow property owners the right to raise chickens and goats on their property. He noted he moved into the Village to be able to have animals on their property.

### **Route 17-Exit 106**

County Legislator Alan Sorensen explained that the NYSDOT is proceeding with the reconstruction of the Exit 106 interchange and will be bid out without the next couple weeks with construction being in the late summer and completed next year. He explained that it will be a half diamond interchange heading eastbound so that vehicles can exit by the former Apollo Plaza and full access on the westbound side also.

### **39 High Street**

Attorney Gerald Orseck representing the owner of 39 High Street explained that he has submitted a full application on March 26, 2009 to Sue Flora the Code Enforcement Officer with site plans maps from Engineer Alvin Adler for seven apartments. He asked for prompt action to approve those seven apartments.

The Village Clerk indicated that this project must be submitted to the Planning Board for their approval after a public hearing is held.

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**Additional Taxi Medallion Discussion**

Ms. Van Dunk explained that she is running a taxi cab service out of the Town of Fallsburgh, but they are not allowed to pickup and drop off within the Village of Monticello and the Town of Thompson. There are presently 21 medallions that are issued with two companies holds all of them, although she felt there is a need for more taxis in the community. She questioned how the Village can increase the number of medallions to provide this service that is needed to the community.

David Rosenberg, a former Village Board member explained that this is the only business that the Village sets the rates.

Trustee Schoonmaker and Trustee Marinello felt the Village Board should fully research this issue and decide on a solution.

**EXECUTIVE SESSION**

At 8:02 p.m., a motion was made by Trustee Rue, seconded by Trustee Marinello, unanimously approved on a roll call vote to move into Executive Session to discuss contract negotiations with the P.B.A and County of Sullivan and a personnel matter involving an individual person.

**ADJOURNMENT**

At 9:02 p.m., a motion was made by Trustee Hutchins, seconded by Trustee Marinello, unanimously approved on a roll call vote to move out of Executive Session and adjourn the Regular Village Board meeting.

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EDITH SCHOP, Village Clerk